

Lanning	Stone
Lovelady	Sulak
Mauritz	Vick
Moore	Weinert
Morris	York
Ramsey	

Nays—9

Brownlee	Metcalf
Cotten	Moffett
Hazlewood	Shivers
Jones	Winfield
Martin	

Absent—Excused

Fain	Lemens
Formby	Spears
Kelley	

Adjournment

Senator Vick moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 5:40 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTY-FIRST DAY

(Wednesday, April 14, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Monday, April 12, 1943, was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Cotten was granted leave of absence for today and indefinitely on account of illness, on motion of Senator Graves.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 596, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 641, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. C. R. No. 101, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred H. B. No. 379, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Metcalfe submitted the following report:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred S. B. No. 348, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

METCALFE, Chairman.

Senator Lovelady submitted the following report:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 602, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOVELADY, Chairman.

Senator Stone submitted the following report:

Austin, Texas,
April 13, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred S. B. No. 346, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STONE, Chairman.

Motion to Set Senate Bill 93 as Special Order

Senator Metcalfe moved that S. B. No. 93 be set as a special order for Friday, April 16, 1943, immediately after the conclusion of the morning call on that day.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—13

Aikin	Chadick
Brownlee	Graves
Bullock	Hazlewood

Jones	Metcalfe
Lane	Moffett
Lovelady	Stone
Martin	

Nays—9

Beck	Ramsey
Lanning	Sulak
Mauritz	Vick
Moore	Weinert
Morris	

Absent

Shivers	York
Winfield	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Senate Resolution 76

Senator Chadick, by unanimous consent, offered at this time the following resolution:

Whereas, Mr. Joe W. Steed and Milton Greer Mell, both of Gilmer, Texas, are visitors in the City of Austin, and are now in the Capitol building; and

Whereas, Each of these gentlemen are outstanding citizens of East Texas, and are leaders in their community; now, therefore, be it

Resolved, That the Senate of Texas extend to each of them a hearty welcome and the privileges of the floor for the day.

CHADICK,
GRAVES,
MAURITZ,
MORRIS,
LANNING,
BECK,
MOORE.

The resolution was read; and on motion of Senator Chadick, and by unanimous consent, it was considered immediately.

The resolution was adopted.

Motion to Set Senate Bill 277 as a Special Order

Senator Ramsey moved that S. B. No. 277 be set as a special order for Monday, April 19, 1943, immediately after the conclusion of the morning call on that day.

The motion was lost by the following vote:

Yeas—8

Aikin	Lovelady
Beck	Ramsey
Brownlee	Stone
Lane	Weinert

Nays—15

Chadick	Moffett
Graves	Moore
Hazlewood	Morris
Jones	Shivers
Lanning	Sulak
Martin	Vick
Mauritz	Winfield
Metcalf	

Absent

Bullock	York
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Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Hour for Executive Session Set

On motion of Senator Brownlee, and by unanimous consent, the Senate agreed to hold an executive session at 11:45 o'clock a. m. today.

House Bill 56 on Passage to Third Reading

The President laid before the Senate, as a special order for this hour, on its passage to third reading (the bill having been read second time on March 31, 1943):

H. B. No. 56, A bill to be entitled "An Act providing for the suspension of the running of the primary and principal terms of certain State leases by the School Land Board in certain instances; and declaring an emergency."

Senator Metcalfe offered the following amendment to the bill:

Amend H. B. No. 56, page 1, by striking out of lines 13 and 14 the following:

"or has been denied necessary equipment or materials."

And by striking out of line 17 the following:

"or to obtain necessary equipment or materials."

LANNING,
METCALFE.

The amendment was adopted.

Senator Lanning offered the following amendment to the bill:

Amend H. B. No. 56 (as printed in the House) by striking out in line 27 to line 32 the following:

"or suspending any condition, obligation or duty thereunder as of the date of the origin of the cause of suspension and during the existence of the cause of suspension."

On motion of Senator Lanning, the Senate, at 10:30 o'clock a. m. agreed to stand at ease to 10:35 o'clock a. m. today.

The President called the Senate to order at 10:35 o'clock a. m.

The amendment by Senator Lanning was lost by the following vote:

Yeas—11

Aikin	Mauritz
Beck	Metcalf
Bullock	Moffett
Chadick	Sulak
Graves	Vick
Lanning	

Nays—14

Brownlee	Morris
Hazlewood	Ramsey
Jones	Shivers
Lane	Stone
Lovelady	Weinert
Martin	Winfield
Moore	York

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Senator Metcalfe offered the following amendment to the bill:

Amend H. B. No. 56 by adding after the word "exist" in line 39, the following:

"Which order shall in all events be entered within 90 days after the cause for suspension has ceased to exist."

The amendment was lost by the following vote:

Yeas—10

Bullock	Metcalf
Graves	Moffett
Lanning	Morris
Lovelady	Sulak
Mauritz	Vick

Nays—13

Aikin	Ramsey
Beck	Shivers
Brownlee	Stone
Jones	Weinert
Lane	Winfield
Martin	York
Moore	

Chadick	Absent	Hazlewood
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Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Senator Vick offered the following amendment to the bill:

Amend H. B. No. 56, Section 1 by deleting the following:

"until ninety (90) days after the School Land Board shall enter an order upon its minutes reciting that the cause for suspension has ceased to exist."

And in serting in lieu thereof the following:

"until six (6) months after such restrictions as contemplated by this Act has been revoked by duly constituted authority of the United States of America."

Senator Stone moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—20

Aikin	Moffett
Beck	Moore
Brownlee	Morris
Bullock	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lovelady	Weinert
Martin	Winfield
Metcalfe	York

Nays—4

Graves	Mauritz
Lanning	Vick

Absent

Chadick

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

On motion of Senator Stone, and by unanimous consent, the caption of the bill was amended to conform to the body of the bill as amended.

The bill then was passed to third reading.

House Bill 56 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 56 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid H. B. No. 56 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Weinert
Lovelady	Winfield
Martin	York

Nays—1

Vick

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Resolutions Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled resolutions:

S. C. R. No. 42, Endorsing proposal of American Association of State Highway Officials for post-war highway construction through State agencies already established.

S. C. R. No. 43, Requesting the National Director of OPA to order the continuance of the Texas State OPA headquarters at Fort Worth, Texas.

H. C. R. No. 98, Instructing the Enrolling Clerk of the House to make certain changes in H. B. No. 297.

Committee Substitute House Bill 642 on Second Reading

On motion of Senator Moffett, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

C.S.H.B. No. 642, A bill to be entitled "An Act for the organization and coordination of defense activities in Texas; authorizing the Governor to establish by proclamation a State Defense Council, or other similar body, and such personnel as may be necessary to carry out the provisions of this Act; providing that the Council shall consist of the Governor, as Chairman, and the heads of State agencies, departments, and other institutions whose legal functions relate to important phases of the war effort; requiring the heads of such agencies to give all practical assistance in carrying out the provisions of this Act when requested to do so by the Governor or Council; making an appropriation to cover certain expenses for the period ending August 31, 1943; enumerating the items covered in such appropriation and the manner of making expenditures under this Act; providing for the term of this Act and the appropriation made herein; authorizing the Governor to appoint the County Judge of each county as County Defense Coordinator; authorizing the Governor to appoint the mayor of each incorporated city as Municipal Defense Coordinator; providing if the County Judge or mayor does not desire to act they may submit names of certain persons to act instead; providing for the func-

tions, powers and duties of such local defense coordinators; authorizing the governing authorities of the counties and incorporated cities to make certain expenditures; etc.; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time and was passed to third reading.

Committee Substitute House Bill 642 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 642 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

House Bill 666 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 666, A bill to be entitled "An Act making appropriations for the support, maintenance and improvement of the eleemosynary and reformatory institutions of the State of Texas for the two-year period beginning September 1, 1943 and ending August 31, 1945; and prescribing certain regulations and restrictions in respect to the expenditure of said appropriation; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Lanning offered an amendment to the bill striking out all matter therein after the enacting clause and inserting in lieu thereof all matter after the enacting clause in S. B. No. 333.

The amendment was adopted and was ordered not printed in the Journal.

The bill (as amended) was passed to third reading.

House Bill 666 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 666 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Bullock	Metcalfe
Chadick	Moffett
Graves	Moore
Hazlewood	Morris
Jones	Ramsey
Lane	Shivers
Lanning	Stone

Sulak	Winfield
Vick	York
Weinert	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(President pro tempore Mauritz in the Chair.)

House Joint Resolution 8 on Second Reading

The President pro tempore laid before the Senate on its second reading:

H. J. R. No. 8, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas, by adding thereto Section 51e, providing that cities and towns in this State shall have power and authority to provide a system of retirement and disability pensions for its employees, provided, however, that no pension system shall be set up in any city until it has been approved at an election by the qualified voters entitled to vote on the question of issuance of tax supported bonds.

The resolution was read second time.

Senator Graves offered the following amendment to the resolution:

Amend H. J. R. No. 8, page one (1) of the printed copy, by changing the words and figures "ten (10%)" in line 50 of Section 51E to the words and figures: "seven and one-half (7½ %)."

The amendment was adopted.

On motion of Senator Graves, the resolution was tabled subject to call.

Report of Conference Committee on Senate Bill 7

Senator Stone submitted the following report:

Austin, Texas,
April 13, 1943.

Hon. John Lee Smith, President of the Senate,

Hon. Price Daniel, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the dif-

ferences between the Senate and the House on S. B. No. 7, have met and beg leave to recommend that said S. B. No. 7, be passed in the form hereto attached.

Respectfully submitted

STONE,
MARTIN,
MORRIS,
GRAVES,
VICK,

On the Part of the Senate;
MARKLE,
OVERTON,
KNIGHT.

On the Part of the House.

By Senator Graves: S. B. No. 7

A BILL
To Be Entitled

"An Act to amend Article 4766, Revised Civil Statutes of 1925, as thereafter amended; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 4766, Revised Civil Statutes of 1925, as amended, be and same is hereby amended so as to hereafter read as follows:

"Article 4766. 'Texas Securities.'

"The term 'Texas Securities,' as used in this Chapter, shall be held to include all bonds issued under and by virtue of the Federal Farm Loan Act approved July 17, 1916, when such bonds are issued against and secured by promissory notes or other obligations the payment of which is secured by mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in this State; bonds of the State of Texas; bonds or interest-bearing warrants of any county, city, town, school district, or other municipality or subdivision which is now or may hereafter be constituted or organized and authorized to issue such bonds or warrants under the Constitution and laws of this State, notes or bonds secured by mortgage or trust deed insured by the Federal Housing Administrator; the cash deposits in regularly established National or State Banks, or trust companies in this State on the basis of average monthly balances throughout the calendar year; that percentage of a life insurance company's invest-

ments in the Bonds of the United States of America that its Texas reserves are of its total reserves; but this provision shall apply only to United States Government Bonds purchased between December 8, 1941 and the termination of the war in which the United States is now engaged; promissory notes and other obligations, the payment of which is secured by a mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in this State, the title to which real estate is valid and the market value of which is forty (40%) per cent more than the amount loaned thereon, exclusive of buildings unless such buildings are insured against fire and kept insured in some company authorized to transact business in the State of Texas, and the policy or policies transferred to the company taking such mortgage or lien; or upon first liens upon leasehold estates in real property and improvements situated thereon, the title to which is valid, and the leasehold has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such leasehold estates shall not exceed a period of ten (10) years. If any part of the value of such real estate is in buildings, such buildings shall be insured against fire and kept insured for at least fifty (50%) per cent of the value thereof in some company authorized to transact business in this State and the policy or policies shall be transferred to the company taking such mortgage or lien.

"The term 'Texas Securities,' as used in this Chapter, shall also be held to include obligations secured collaterally by such first lien notes; first mortgage bonds of any solvent corporation incorporated under the laws of this State and doing business in this State, and which has paid, out of its actual earnings, dividends of an average of at least five (5%) per cent per annum on the par value of all of its par value stock outstanding and on the sale value of all of its no par value stock outstanding for a period of at least five (5) years next preceding the date of such investment, and which has not at any time defaulted in the payment of interest on any of its obligations, any such investment in the bonds of any one such corporation not to exceed five

(5%) per cent of the admitted assets of the insurance company making the investment, and loans made to policyholders on the sole security of the reserve values of their policies. The investments required by this Chapter may be made by the purchase of not more than one building site, and in the erection thereon of not more than one office building, or in the purchase, at its reasonable market value, of such office building already constructed and the ground upon which the same is located in any city of the State of more than four thousand (4,000) inhabitants. All real estate owned by life insurance companies in this State on December 31, 1909, and all thereafter acquired under the provisions of this Chapter, or by foreclosure of a lien thereon shall be treated, to the extent of its reasonable market value, as a part of the investment required by this Chapter. And 'Texas Securities' shall be held to include every character of investment authorized by the terms of this Article; provided that the above restrictions concerning mortgage loans shall not apply to loans insured by the Federal Housing Administrator."

Sec. 2. The fact that the calendar of both Houses is or is likely to be crowded and it is desired that this Act take effect as soon as possible, creates an emergency and an imperative public necessity authorizing that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

Question—Shall the report be adopted?

The report was adopted by the following vote:

Yeas—23

Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

Nays—1

Aikin

Absent

Beck

Absent—Excused

Cotten

Kelley

Fain

Lemens

Formby

Spears

House Concurrent Resolution 66

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 66, To grant W. F. Knippa permission to sue the State.

The resolution was read.

Senator Brownlee offered the following amendment to the resolution:

Amend H. C. R. No. 66 by inserting immediately following the last paragraph of page 2 of the resolution the following:

"It is understood that the sole purpose of this resolution is to grant permission to W. F. Knippa to bring suit against the State of Texas and the State Highway Commission, and no admission of liability of the State or the State Highway Commission of any facts, and no admission whatsoever against the interest of the State or the State Highway Commission is or shall be made by this resolution, and all facts alleged herein must be proved in court."

The amendment was adopted.

The resolution as amended then was adopted.

House Concurrent Resolution 54

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 54, Providing for printing of the Constitution of the State of Texas.

The resolution was read second time.

Senator Aikin offered the following amendment to the resolution:

Amend H. C. R. No. 54 by adding a new Section which shall read as follows:

"The Board of Control is hereby directed to request bids and secure the

lowest and best bid, thereby saving as much as possible on the cost."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 36

The President pro tempore laid before the Senate, for consideration at this time:

H. C. R. No. 36, Granting permission to the American National Bank to sue the State.

The resolution was read.

Senator Brownlee offered the following amendment to the resolution: Amend H. C. R. No. 36 by inserting a comma immediately following the word "Texas" on the last line on page 3 and by adding immediately thereafter the following words:

"and all facts alleged herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 32

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 32, Encouraging the bringing of industry to Texas which are based on industrialization of our natural resources.

The resolution was read second time and was adopted.

Reports of Standing Committees

Senator Moffett, by unanimous consent, submitted at this time the following reports:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 534, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 539, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

(President in the Chair.)

House Bill 564 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 564, A bill to be entitled "An Act providing a special license for those who trap beaver or otter outside the county of their residence; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 564 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

House Bill 227 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 227, A bill to be entitled "An Act providing for the protection of the game and fish resources of Walker County; etc.; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendments to the bill:

Amend the bill by striking out all before and all after the enacting clause and inserting in lieu thereof the following:

(1)

"A BILL

"To Be Entitled

"An Act providing that wild fox may be taken or killed at any time in Walker County, Texas; providing that the hides or pelts thereof may be sold; providing that the commissioners court may fix and pay a bounty thereon out of the general fund of said court; and declaring an emergency."

(2)

"Section 1. It shall be lawful for any person to kill, take, hunt, catch or destroy wild fox at any time in Walker County, Texas. The commissioners court in Walker County may fix and pay, out of the general fund of such county, bounties on the killing,

taking, hunting, catching or destruction of wild fox in Walker County, Texas. Hides or pelts of wild fox taken in Walker County may be sold.

"Sec. 2. The fact that wild fox in Walker County are numerous and destructive to wild game therein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect from and after its passage, and such rule is hereby suspended, and this Act shall take effect from and after its passage and it is so enacted."

The amendment was adopted.

The bill was passed to third reading.

House Bill 227 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 227 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Graves
Beck	Hazlewood
Brownlee	Jones
Bullock	Lane
Chadick	Lanning

Lovelady	Shivers
Martin	Stone
Mauritz	Sulak
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Morris	York
Ramsey	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

House Bill 228 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 228, A bill to be entitled "An Act providing for the protection of the game and fish resources of San Jacinto County; etc.; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend the bill by striking out all before and all after the enacting clause and inserting in lieu thereof the following:

(1)

"A BILL

"To Be Entitled

"An Act providing that wild fox may be taken or killed at any time in Walker County, Texas; providing that the hides or pelts thereof may be sold; providing that the commissioners court may fix and pay a bounty thereon out of the general fund of said court; and declaring an emergency."

(2)

"Section 1. It shall be lawful for any person to kill, take, hunt, catch or destroy wild fox at any time in Walker County, Texas. The commissioners court in Walker County may fix and pay, out of the general fund of such county, bounties on the killing, taking, hunting, catching or destruction of wild fox in Walker County, Texas. Pelts or hides of wild fox taken in Walker County may be sold.

"Sec. 2. The fact that wild fox in Walker County are numerous and destructive to wild game therein, creates an emergency and an imperative public necessity that the consti-

tutional rule requiring bills to be read on three several days be suspended and that this Act take effect from and after its passage, and such rule is hereby suspended, and this Act shall take effect from and after its passage and it is so enacted."

The amendment was adopted.

The bill was passed to third reading.

House Bill 228 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 228 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Executive Session

The President announced the arrival of the hour for an executive session of the Senate, and he requested all those not entitled to attend the executive session to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following appointments had been confirmed by the Senate:

To be members of the Board of Directors, Upper Colorado River Authority, terms expiring January 1, 1949:

H. G. Wendland of San Angelo, Tom Green County;

G. C. Allen of Robert Lee, Coke County;

C. S. Coleman of Miles, Runnels County.

To be a member of the Board of Directors, Central Colorado River Authority, to fill the unexpired term of H. S. Willey, deceased, term expiring January 1, 1945:

Frank Hudson of Novice, Coleman County.

To be a member of the Board of Pardons and Paroles, term to expire February 1, 1949:

Abner L. Lewis, of Houston, Harris County.

The President called the Senate to order as in legislative session at 12:00 o'clock m.

Reports of Standing Committees

Senator Metcalfe, by unanimous consent, submitted at this time, the following report:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising to whom was referred S. B. No. 347, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that

it do not pass, but that the Committee substitute attached hereto do pass and be not printed.

METCALFE, Chairman.

Senator Stone, by unanimous consent, submitted at this time the following report:

Austin, Texas,
April 14, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 653, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with amendments and be not printed.

STONE, Chairman.

Night Session to Consider Local and Uncontested Bills

On motion of Senator Moore, and by unanimous consent, the time for holding a session of the Senate to consider local and uncontested bills was changed from Monday, April 19, 1943, at 8:00 o'clock p. m. to Wednesday, April 21, 1943, at 8:00 o'clock p. m.

House Bill 137 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 137, A bill to be entitled "An Act to amend Section 1 of H. B. No. 271, Acts of the Regular Session of the Forty-seventh Legislature, the Judiciary Appropriation bill, by adding thereto a new Section to be known as Section 1a, to make an appropriation of \$2,600 for the payment of compensation or fees to attorneys, including county attorneys, who, since January 1, 1940, to the effective date of this Act, have performed the duties of a district attorney pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas; etc.; and declaring an emergency."

The bill was read second time.

Senator Mauritz offered the following amendment to the bill:

Amend H. B. No. 137 by striking out the following from Section 1a:

"There is also hereby appropriated out of any moneys in the State Treas-

ury, not otherwise appropriated, the sum of Ten Thousand (\$10,000) Dollars, or so much thereof as may be necessary, for the payment of compensation or fees to attorneys, including county attorneys, who shall perform the duties of a district attorney pursuant to the provisions of Articles 26 and 31 of the Code of Criminal Procedure of Texas, from the effective date of this Act through the biennium ending August 31, 1943."

The amendment was adopted.

The bill was passed to third reading.

House Bill 137 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 137 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid H. B. No. 137 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Lanning
Beck	Lovelady
Brownlee	Martin
Bullock	Mauritz
Chadick	Metcalf
Graves	Moffett
Hazlewood	Moore
Jones	Morris
Lane	Ramsey

Shivers	Vick
Stone	Winfield
Sulak	York

Absent

Weinert

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

House Bill 291 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 291, A bill to be entitled "An Act amending Article 57, Revised Civil Statutes of Texas, 1925, as amended; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 291 on Third Reading

Senator York moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 291 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Winfield
Martin	York

Absent

Weinert

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

The President then laid H. B. No. 291 before the Senate on its third reading and final passage.

The bill was read third time and
was passed by the following vote:

Yeas—23

Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Winfield
Martin	York
Mauritz	

Nays—1

Aikin

Absent

Weinert

Absent—Excused

Cotten	Kelley
Fain	Lemens
Formby	Spears

Adjournment

Senator Winfield moved that the
Senate recess to 3:00 o'clock p. m.
today.

Senator Lane moved that the Sen-
ate adjourn until 10:00 o'clock a. m.
tomorrow.

Question first recurring on the mo-
tion of Senator Lane, it prevailed; and
the Senate, accordingly, at 12:20
o'clock p. m., adjourned until 10:00
o'clock a. m. tomorrow.

In Memory of

J. T. Closs

Senator York offered the following resolution:

(Senate Resolution 77)

Whereas, On Tuesday, the thirteenth day of April, A. D. 1943, Mr. J. T. Closs, of Edge, Texas, was called to rest from his earthly labors; and

Whereas, This fine old gentleman, J. T. Closs, who was born on December 15, 1862, in Madisonville, Texas, and who later moved to Brazos County and had been there for the past 72 years, has given to his county, his State and his nation, valuable service as a farmer and cattleman; and

Whereas, Mr. Closs is survived by his wife, five sons and six daughters; and

Whereas, This fine old pioneer gentleman has contributed much to the cattle and farming interests throughout the State; and

Whereas, This noble Texan has left behind him innumerable friends who tenderly and affectionately remember him, and who mourn his passing; and

Whereas, It is the desire of the Senate to pay tribute to the memory of this noble, pioneer Texan and to extend sympathy to his family; now, therefore, be it

Resolved, That the Senate of Texas acknowledge the passing of Mr. J. T. Closs by having a copy of this resolution spread upon the pages of the Senate Journal today; and, be it further

Resolved, That the Secretary of the Senate be instructed to send the family of the deceased a copy of this resolution under his seal, and that when the Senate adjourn today, it do so in silent tribute to J. T. Closs.

The resolution was read and was adopted.